

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
89-17, AS AMENDED; AMENDING THE FUTURE LAND USE
ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT SCA
2004-00044 (LAWRENCE/GATEWAY COMMERCIAL);
MODIFYING PAGE 87 OF THE FLUA BY CHANGING A
PARCEL OF LAND TOTALING APPROXIMATELY 0.47 ACRE
GENERALLY LOCATED NORTH OF TUCKS ROAD,
APPROXIMATELY 105 FEET EAST OF LAWRENCE ROAD FROM
MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5) TO
COMMERCIAL LOW, WITH AN UNDERLYING 5 UNITS PER
ACRE (CL/5) WITH A CONDITION; PROVIDING FOR
REPEAL OF LAWS IN CONFLICT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989
COMPREHENSIVE PLAN; AND PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of
County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners
amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides
comprehensive plan amendments directly related to small scale
development activity may be made by local governments without regard
to statutory limits regarding the timing and frequency of plan
amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides
that small scale development amendments require only one public
hearing before the governing board which shall be an adoption public
hearing; and

WHEREAS, a property owner has initiated an amendment to the
Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small
scale development amendment per Section 163.3187(1)(c), Florida
Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a
public hearing on November 19, 2004, to review the proposed amendment
to the Palm Beach County Comprehensive Plan and made recommendations
regarding the proposed amendments to the Palm Beach County Board of
County Commissioners pursuant to Chapter 163, Part II, Florida
Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 26, 2005, to review the recommendations of the Local Planning Agency and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use
Element of the 1989 Comprehensive Plan

The following amendment to the Future Land Use Element's Future Land Use Atlas is hereby adopted and is attached to this Ordinance:

A. Future Land Use Atlas page 87 is amended as follows:

Application No.: Lawrence/Gateway Commercial (SCA 2004-00044)

Amendment: From Medium Residential, 5 units per acre (MR-5) to Commercial Low, with an underlying 5 units per acre (CL/5), with a condition:

General Location: North of Tucks Road, approximately 105 feet
east of Lawrence Road;

Size: Approximately 2.01 acres;

B. Condition: The easternmost 50 feet of the site shall be cross-hatched.

Part II. Repeal of Laws in Conflict

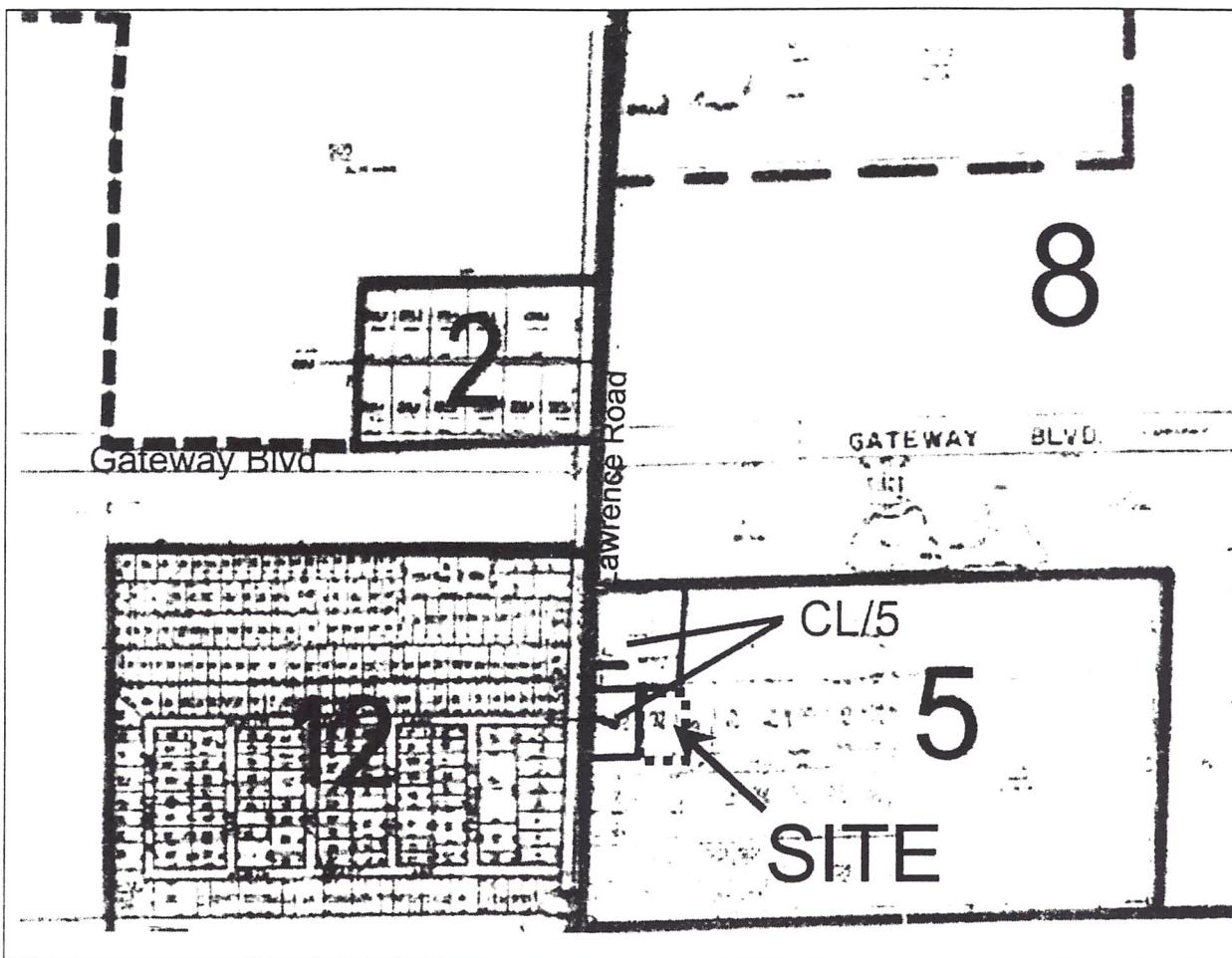
All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

EXHIBIT 1

Amendment No.: Lawrence/Gateway Commercial (SCA 2004-00044)
FLUA Page No.: 87
Amendment: From Medium Residential, 5 units per acre (MR-5) to Commercial Low, with an underlying 5 units per acre (CL/5).
Location: North of Tucks Road, approximately 105 feet east of Lawrence Road.
Size: Approximately 0.47 acres
Property No.: 00-43-45-18-00-000-7230
Legal Description: See attached
Condition: The easternmost 50 feet of the site shall be cross-hatched.



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Legal Description:

Starting at the southwest corner of Section 18, Township 45 South, Range 43 East, Palm Beach County, Florida; thence running northerly along the westline of said Section 18 for a distance of 468.38 feet to a point; thence turning an angle of 94°16'30" measured from the south th east and running a distance of 138.15 feet to the point of beginning of the following described parcel; thence continuing along the same line for a distance of 105.00 feet to a point; thence turning an angle of 94°21'00" measured from west to north and running a distance of 194.75 feet to a point in the north line of the south half of the southwest quarter of the southwest quarter of Section 18 aforesaid; thence turning an angle of 85°42'16" measured from south to west and running a distance of 105.00 feet to a point; thence turn an angle of 94°17'44" from east to south and run a distance of 194.85 feet to the point of beginning.

Containing 20,470 square feet, 0.47 acres more or less.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk & Comptroller certify
this to be a true and correct copy of the original
filed in my office on MAY 26 2005

dated at West Palm Beach, Fla.

By:

Judith Cossie
Deputy Clerk

